

MICHIGAN EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW COMMISSION
MEETING MINUTES

DRAFT

Terrace Room
Michigan State Police
4000 Collins Road
Lansing, Michigan 48910

April 11, 2006

Subject to Commission Approval

COMMISSIONERS PRESENT

Kriste Etue, Chair
Amy Butler, Vice Chair
Brad Deacon
Kenneth Gembel
Christopher Johnson
Gregory Kirt
Tom Martin
Dawn Mills
Kenneth Murray
Ron Nelson
Gail Novak
Grace Ranger
Ida Shelly
Arthur Tanis

COMMISSIONERS EXCUSED ABSENCE

Burton Eichler
Kenneth Murray
Martha Stanbury

OTHERS PRESENT

James Buford, Wayne County LEPC
Lisa DiRado, Wayne County EMD
Pete Hetzel, Allegan County LEPC
John Misaros, St. Clair County LEPC
Susan Parker, DEQ
Bonnie Fighter, MSP/EMHSD
Sandy Glazier MSP/EMHSD
Diane Laban, MSP/EMHSD

1. **Call Meeting to Order.** The meeting was called to order at 1:30 p.m. by Chair Etue, and roll call was taken by Ms. Laban. Chair Etue directed the commissioners to the packet of materials in front them to ensure that they included the following items: Today's agenda; the January 10, 2006, meeting minutes, an informational letter dated April 6, 2006, regarding Chemical Awareness Week; a PowerPoint presentation regarding 2006 HSGP; and LEPC meeting schedule information.
2. **Approve Agenda.** A motion was made by Commissioner Johnson, seconded by Commissioner Kirt, to approve the agenda as submitted. Unanimous approval.
3. **Approve Meeting Minutes.** A motion was made by Commissioner Deacon to approve the minutes from January 10, 2006. Commissioner Mills seconded the motion. Unanimous approval.

4. Chair Etue introduced Ms. Jen Marthia from Michigan State University. Ms. Marthia is temporarily assigned to the MSP Emergency Management and Homeland Security Division and is a wealth of knowledge and a great asset to the Division.

Chair Etue informed the commissioners that the Emergency Management Division (EMD) has officially changed its name to the Emergency Management and Homeland Security Division (EMHSD), as it was believed it better reflects what the Division does.

Chair Etue took this opportunity to introduce Ms. Sandy Glazier from the MSP/EMHSD. Ms. Glazier has been with the Division for several years and will now be overseeing the duties with Bonnie Fighter as it relates to SERC issues.

Chair Etue reminded commissioners that the new date for the SERC Retreat is April 26, 2006. The previously scheduled retreat (March 2, 2006) was canceled due to anticipated poor travel conditions.

Commissioner Deacon asked if there were any materials that could be reviewed in advance of the retreat. As a result, Bonnie Fighter distributed copies of the SERC Goals and Objectives for review.

Chair Etue reported that a meeting was conducted between MSP/EMHSD and DEQ to review the Memorandum of Understanding between MSP and DEQ. Although there were no major changes, it was a great opportunity to pull the two staffs together and obtain a clear understanding of the direction they are both going.

5. Ms. Jen Marthia was invited to present a PowerPoint presentation regarding the 2006 Homeland Security Grant Planning (HSGP) process. A copy of this presentation was distributed to the commissioners.

Prior to the presentation, Chair Etue gave a brief overview regarding the 2006 grant cycle, indicating that the MSP Emergency Management and Homeland Security Division is responsible for the entire oversight and funding that comes into the state. Michigan has been a recipient of multi millions of dollars, 20 percent of which stays at the state share, and 80 percent goes down to the local level. Chair Etue stated that in March 2006, the Department of Homeland Security released an interim national preparedness goal based on the requirements formulated in the Homeland Security Presidential Directive (HSPD). As a result, an all hazard preparedness goal was developed allowing the country to focus its efforts and provide measurable readiness priorities and targets. This goal will help us identify how prepared we need to be, how prepared we are, and how we prioritize efforts to close that gap. This is based on the premise of capabilities-based planning which is a ten step process.

After Ms. Marthia's presentation, there was clarification regarding funding. Chair Etue emphasized that this is the 2006 Homeland Security Grant, therefore funding will not be getting out to the local levels until August or September of this year.

Chair Etue indicated that the Regionalization efforts in Michigan will be a major undertaking, and Washington is watching Michigan as a best practice right now. Other states have regionalized their efforts starting from the top down, but Michigan has taken a grass roots approach starting from the bottom up. Focus groups were developed allowing discussion regarding how regionalization might work. Chair Etue stated that there are tough days and tough decisions ahead, but hopefully it will be a different concept working from the bottom up. She indicated to commissioners that the MSP/EMHSD will keep them posted on the progress of this effort.

6. **MSP/EMD Activity Report.** Ms. Bonnie Fighter reported on the following:

- Applied for the HMEP 2006-07 Grant
- Closed out the CERCLA Grant (Comprehensive Environmental Response Compensation Liability Act-1990)

- Per Commissioner Tanis' inquiry at the last SERC meeting, Ms. Fighter reported that SEPs (Supplemental Environmental Projects) are still being used. The EPA explains the SEP option to facilities, but it is entirely their decision as to whether or not to go with a SEP. Facilities can do two types of SEPs: One would benefit the LEPCs; the other would benefit the facility itself, providing there was a nexus between the project they want to do and the violation that they had.
- Completed LEPC meeting schedules.
- Completed updates for the LEPC rosters.
- Developed and sent new forms to be used for new nominations and changes in LEPC officers.
- Distributed the Emergency Planning and Community Right-To-Know Act to commissioners for their SERC binders.
- Michigan's Emergency Management Plan for 2005 is available to commissioners. Emergency Management coordinators also received a copy.
- A Reporting and Planning Workshop has been scheduled for June 21, 2006, from 9:00 a.m. to 12:00 noon in Kalamazoo, Michigan.

Vice Chair Butler reported regarding the status of SERC commissioner expiration dates. She indicated that her legislative liaison was in contact with the Governor's Appointment Office. Their representative explained that appointments have been held up because all commissions that reflect a Federal statute must go through a review process. The review at the State level was conducted and completed approximately two years ago, however, all of the Federal statute-based appointments are being reviewed from a legal perspective and that has resulted in the delay. It was emphasized that the Governor's Office highly respects the SERC Commission, understands its purpose, the good work they are doing, and appreciates everyone's continued participation. Vice Chair Butler asked commissioners to direct any questions to her or Chair Etue and they would forward them on to the Governor's Appointment Office.

7. DEQ Activity Report. Ms. Susan Parker reported on the following:

- A new facilities guide was provided to the Commission.
- The Tier Two Reports for 2005 are being processed. No count on number received as of yet.
- There were a total of 340 attendees at four SARA Title III Tier Two workshop locations. Of those who attended, 224 completed evaluations (66 percent of attendees). The workshops received an overall rating of 4.2 on a 5.0 rating scale. As a result of the workshop, 147 attendees (43 percent) plan on taking some kind of action at their facility.
- Approval was granted for the purchase of the Tier II Manager program. The installation schedule is pending. Grants will be issued soon to LEPC's for their purchase of the Tier II Manager.
- In Region 5, Illinois and Minnesota began using Tier II Manager this year. Illinois mandated that facilities use either their paper report or Tier II Manager (only ten facilities filed on paper). Their data entry was near completion as of April 1. As a result of the system, they were able to eliminate a secretarial position. In Minnesota, Tier II Manager was a late option for reporting this year. It was not mentioned on their website, and the letters to filers did not go out until January. In spite of this, 80 percent of their facilities filed using Tier II Manager. Thus, they were able to eliminate one of two clerical positions.
- SERC Commissioners received copies of the Report Year 2004 Toxic Chemical Release Inventory (TRI) briefing memo. It is important to understand that the apparent data trends do not reflect any one given activity. The data should be used to identify toxic chemicals in your community. Data available on the web are searchable by company or city. Go to www.michigan.gov/deqsara and click on the "SARA Title III Toxic Chemical Release Inventory" link.
- TRI training will be held in May. We are offering one, all-day session for novice reporters and several half-day computer lab sessions for expert reporters. Information regarding these workshops can be found at www.michigan.gov/deqworkshops.
- SERC Commissioners interested in attending the 2006 Michigan Environmental Compliance Conference may do so at the reduced rate of \$50, if they register by the early bird registration deadline. It is important to identify yourself as a SERC Commissioner on the registration form.

8. Commissioner Comments.

Commissioner Ranger reported that Genesee County is planning a full scale exercise right now. They have one of the biodetection units in their Flint Post Office and are anxious to test it. She also reported that their LEPC is trying to restructure. There was discussion at the last meeting regarding the view that they are not doing anything constructive and perhaps need to meet quarterly as opposed to monthly. A representative from the MSU Extension office offered to set up a committee that would review some innovative ideas and things they can do.

Commissioner Gembel reported that he attended the SARA Title III training in Midland and thought it was outstanding. He commended Vice Chair Amy Butler and Susan Parker from DEQ indicating that the training is phenomenal. He stated that the relationship between General Motors and DEQ is not adversarial, emphasizing that GM personnel know if they have questions, there are people who really want to help them.

Commissioner Deacon reported that they are in the process of doing another printing of the Farm Planning Workbooks. It is anticipated they will be completed in late Spring.

Commissioner Martin reported that the Department of Labor and Economic Growth is going through a restructuring. There will soon be a new Bureau of Fire Services in the Department, however, nothing is really going to change in terms of the services provided by the Firefighters' Training Council, as well as other services that will continue to be in place. He reported that their legislations have been introduced on both the House and Senate side and there are approximately 24 bills in the package. The House bills have already passed, and he believes the whole package will be presented to the Senate when the Legislature returns next week.

Commissioner Mills wanted to echo Commissioner Gembel's comments regarding the quality of SARA Title III training. Her replacement attended the training and although she was overwhelmed with the information she obtained, she was very pleased at the positive manner in which she was trained and did not feel intimidated. Commissioner Mills also reported that in order to keep their LEPCs active, she has involved them in exercise planning and other activities.

Commissioner Tanis reported that Kent County is having the same problems as Genesee County in terms of questioning why they meet every month. As a result, they will be voting to meet every other month. He indicated that they did partner with their Department of Public Works, who have a household hazardous waste program, and it appears to be working well. He indicated that they also partnered with the Red Cross Civilian Corps acting as an advisory committee. It is, however, difficult to justify an hour of time to attend a meeting and not do anything. Commissioner Tanis also added that he is looking forward to the Homeland Security Conference next month.

Chair Etue commented that perhaps at the upcoming SERC retreat, the Commission might want to discuss how LEPCs can stay at a level of interest.

Commissioner Shelly indicated her surprise after learning that firefighters from a facility in Wayne County go to Sarnia for their training. Chair Etue indicated that the MSP/EMHSD has an aggressive training schedule. Commissioner Kirt supplied Commissioner Shelly with copies of the 2006 Training Catalog.

Commissioner Novak reported that their LEPC held a retreat early last year that was very successful. At that time, they brainstormed regarding all the great things they want to do, and they are slowly making some accomplishments. They have, however, canceled some of their subcommittee meetings because they are so busy doing Homeland Security work which takes a great deal of staff time.

9. Public Comments.

Mr. James Buford introduced himself as the Director of Homeland Security and Emergency Management for Wayne County. He also introduced Ms. Lisa DiRado, who is a Solutionary Planner and works with their LEPC in Wayne County.

Pete Hetzel from Allegan County introduced himself.

John Misaros introduced himself. He is the St. Clair County, Macomb County, and Oakland County LEPC. Mr. Misaros commented on Commissioner Novak's report regarding the joint meeting between Oakland and Macomb Counties, and reiterated that it did turn out to be a very good meeting and he has heard nothing but positive feedback from both counties. It was well attended, and there was a great deal of discussion regarding how to invigorate LEPCs to continue this and perhaps consider meeting once or twice a year. He commented that one of the things he sees in this derogation of LEPCs across the state is lack of work and the fact that there is no mandate. He suggested that perhaps we need to look at how to bring all hazards planning to the Local Emergency Planning Committees.

Mr. Misaros also reported that they have a scheduled exercise in Port Huron next month that will have many ramifications. Chair Etue commented that this is a Department of Defense exercise that is designed to overwhelm the locals and state.

Chair Etue indicated that the Homeland Security Conference in Grand Rapids, Michigan, is not listed on the agenda, and asked commissioners to see her after the meeting for information, as she would like them all to attend if possible.

10. Adjourn.

Commissioner Novak made a motion to adjourn the meeting, seconded by Commissioner Shelly. Unanimous approval. Meeting was adjourned at 3:00 p.m.